

FARGO CITY COMMISSION AGENDA

Monday, May 20, 2019 - 5:00 p.m.

Executive Session at 4:00 p.m.

Roll Call.

PLEASE NOTE: The City of Fargo Board of City Commissioners will convene at 4:00 p.m. and retire into Executive Session in the River Room for the purposes of attorney consultation pursuant to ND Century Code § 44-04-19.1(2) in the pending litigation matter City of Fargo v. Karen Wieland and with respect to matters which are currently being negotiated with the Fargo Municipal Airport Authority to discuss negotiating strategy or provide negotiating instructions to the City's attorney or other negotiator said executive session being necessary due to the fact that open meeting discussions regarding such negotiations would have an adverse fiscal effect on the bargaining position of the City pursuant to N.D.C. C. § 44-04-19.1(9).

Regular Meeting at 5:00 p.m.

City Commission meetings are broadcast live on TV Fargo Channel 56 and online at www.FargoND.gov/streaming. They are rebroadcast Mondays at 5:00 p.m., Thursdays at 7:00 p.m. and Saturdays at 8:00 a.m. They are also included in the video archive at www.FargoND.gov/citycommission.

- A. Pledge of Allegiance.
- B. Roll Call.
- C. Approve Order of Agenda.
- D. Minutes (Regular Meeting, May 6, 2019).

CONSENT AGENDA – APPROVE THE FOLLOWING:

- 1. 2nd reading and final adoption of an Ordinance Amending Section 4-0106 of Article 4-01 of Chapter 4 of the Fargo Municipal Code Relating to the General Provisions Governing City Officials and Employees; Amending Section 11-0814 of Article 11-08 of Chapter 11 of the Fargo Municipal Code Relating to Environmental Nuisances; and Amending Section 1-0305 of Article 1-03 of Chapter 1 of the Fargo Municipal Code Relating to Ordinance Violations; 1st reading, 5/6/19.
- 2. Waive requirement that final passage not be had until at least one week after 2nd reading of an Ordinance Rezoning Certain Parcels of Land Including all of Fred C. Hagen Addition and Adjacent Unplatted Parcels.
- 3. Receive and file update and status report from the City Attorney on the Roberts Alley utilities burial project.
- 4. Applications for property tax exemptions for improvements made to buildings:
 - a. Ronald J. and Kathryn M. Norby, 3420 Peterson Parkway North (5 year).
 - b. Bryce F. and Starla J. Anderson, 3320 Par Street North (5 year).
 - c. Jason Wisniewski, 915 Broadway North (5 year).

5. Site Authorizations for Games of Chance:
 - a. American Gold Gymnastics, Inc. at Side Street Grille and Pub and The Box.
 - b. North Dakota Association for The Disabled, Inc. at Bulldog Tap, O'Kelly's and Shotgun Sally's Rock N Roll Saloon.
 - c. VFW Post 762 at the VFW Club.
 - d. West Fargo Hockey Association at Fort Noks Bar of Gold.
6. Applications for Games of Chance:
 - a. Kringen Club, Inc. for bingo from 7/1/19 to 6/30/20.
 - b. UND Alumni Association and Foundation for a raffle on 6/26/19; Public Spirited Resolution.
7. Receive and file General Fund – Budget to Actual through April 2019 (unaudited).
8. Purchase of Service Agreement with Central Cass Public School District for nursing services for the 2019/2020 school year.
9. Workforce Solutions Services Agreement with TrainND SE by NDSCS.
10. Benefit Plan Agreement with Blue Cross Blue Shield of ND.
11. Professional Services Agreement with Bishop Land Design, LLC for the Fargo Civic Plaza.
12. Renewal of the Agreement for Long-Term Temporary Highway Closure with the NDDOT.
13. Bid award for Project No. SW19-01.
14. Receive and file the estimated costs to expand Transit Services into the Industrial Park.
15. Authorizing Resolution for the Transit Department.
16. Grant applications as outlined, the local share of the grant and upon successful receipt of funds grant execution.
17. Maplewood Estates Development and Access Agreement, Memorandum of Agreement Regarding Development and Access Agreement with Maplewood Estates, LLC and Maplewood Estates Homeowners Association, Inc. and The Maplewood Estates Declaration of Covenants, Conditions, Restrictions, Reservations, Easements, Liens and Charges with Maplewood Estates, LLC.
18. Amendment to Developer and Road Use Agreement with Block 9 Partners, LLC.
19. Amendment No. 3 with Houston Engineering Inc. in the amount of \$67,171.75 for Project No. MS-14-20.
20. Change Order Nos. 1, 2 and 3 for an increase of \$37,614.91 for Project No. SN-18-A1.
21. Access Agreement with the Fargo Park District for Project No. FM-19-B.
22. No bids received for Project No. FM-14-71; project to be rebid at a future date.
23. Bid award for near-term ozone improvements project (Project No. WA 1862).
24. Contract and bond for Project No. TP-19-B1.

25. Bills.
26. Change Order No. 2 for a time extension to 6/2/19 for Improvement District No. BN-18-A1.
27. Final Balancing Change Order No. 2 for an increase of \$17,681.01 for Improvement District No. BN-18-E1.
28. Petition for alley paving between Roberts Street and Broadway, between 1st and 2nd Avenues North in Robert's Addition and addition of Improvement District No. AN-19-G to the 2019 CIP.
29. Create Improvement District No. AN-19-G.
30. Bid award for Improvement District No. BN-19-C1.

REGULAR AGENDA:

31. Presentation on the Public Safety Compensation Study.
32. Public Hearings - 5:15 pm:
 - a. Community Development Block Grant (CDBG) & HOME Programs 2019 Action Plan and Budget, and Amendments to the 2018 Action Plan Activities and Budget/5-Year Consolidated Plan Activity.
 - b. Application filed by Bernbaum Inc. d/b/a Bernbaum's for a Class "GH" Alcoholic Beverage License at 402 Broadway North.
 - c. Application filed by Brew Bird Inc. d/b/a Brew Bird for a Class "F" Alcoholic Beverage License at 30 University Drive North.
 - d. Transfer of a Class "FA-Golf" Alcoholic Beverage License from BCZ Osgood Holdings, LLC d/b/a 9 Iron Bar and Grill to Brickhouse Tavern LLC d/b/a Brewtus Clubhouse to be located at 4400 Clubhouse Drive.
33. State Water Commission requests for Cost Reimbursement for FM Diversion Flood Project Costs:
 - a. Costs totaling \$6,421,825.21.
 - b. Costs totaling \$59,863.29.
34. Recommendation to authorize staff to submit a request from Roers Development, Inc. for tax increment financing for the redevelopment of property located northeast of University Drive and 11th Avenue North to the City's financial advisors for review; action was delayed from the 4/22/19 Regular Meeting.
35. Recommendation for the City of Fargo to pledge \$400,000.00 to Fueling Our Future.

People with disabilities who plan to attend the meeting and need special accommodations should contact the Commission Office at 701.241.1310. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

Minutes are available on the City of Fargo website at www.FargoND.gov/citycommission.